REGISTERED No. M. 4631.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IV] Trivandrum, Thursday, 26th March 1959 / 5th Chaitra 1881 (Saka) [No. 40

Law Department

NOTIFICATION

No. 6522/57/Law (B) 3. *Dated, Trivandrum, 26th March 1959.*
Chaitra 5, 1881 (Saka).

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 24th March, 1959.

By order of the Governor,

P. NARAYANASWAMI,
Additional Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1959.

ACT 12 OF 1959

THE KERALA CIVIL COURTS (AMENDMENT) ACT, 1958

AN

ACT

to amend the Kerala Civil Courts Act, 1957.

Preamble.—WHEREAS it is expedient to amend the Kerala Civil Courts Act, 1957, for the purposes hereinafter appearing;

BE it enacted in the Tenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Civil Courts (Amendment) Act, 1959.

(2) It shall come into force at once.

2. *Amendment of section 7.*—For subsection (1) of section 7 of the Kerala Civil Courts Act, 1957 (Act I of 1957), hereinafter referred to as the principal Act, the following subsection shall be substituted, namely:—

"(1) The place or places at which any court referred to in section 2 shall be held, may be fixed, and may from time to time, be altered by the Government in consultation with the High Court."

3. *Substitution of new section for section 10.*—For section 10 of the principal Act, the following section shall be substituted, namely:—

"10. *Local limits of jurisdiction of Munsiffs' Courts.*— The Government shall fix and may, from time to time, vary, the local limits of the jurisdiction of any Munsiff's Court in consultation with the High Court".

4. *Amendment of section 13.*—Section 13 of the principal Act shall be renumbered as subsection (1) of that section, and,—

(i) in subsection (1) as so renumbered, for the words "seven thousand and five hundred rupees," the words "ten thousand rupees" shall be substituted;

(ii) after subsection (1) as so renumbered, the following subsection shall be inserted, namely:—

"(2) The provisions of subsection (1) shall apply to original decrees and orders of a Subordinate Judge's Court passed after the commencement of the Kerala Civil Courts (Amendment) Act, 1959, notwithstanding the fact that the suits in respect of which such decrees and orders have been passed were instituted before such commencement."

5. *Insertion of new sections 20A and 20B.*—After section 20 of the principal Act, the following sections shall be inserted, namely:—

"20 A. *Maintenance of forms, books and registers by civil courts.*—(1) The High Court may, in consultation with the Government, direct that the civil courts subordinate to it shall maintain such forms, books and registers as may be specified by it in the interests of the public. The High Court may make rules specifying the particulars which such forms, books and registers shall contain.

(2) The Government may, for discharging their functions and responsibilities, require through the High Court, the civil courts subordinate to the High Court to furnish to the Government such particulars and information relating to the working of Courts and other matters as they may call for from them from time to time.

20B. *Constitution and functions of Committees.*—(1) The High Court may, constitute a committee for each civil court subordinate to it or for two or more of such courts.

(2) The functions of the Committee may include, among other things,—

(i) the dissemination by means of publicity, advice and instruction of legal knowledge to the general public;

(ii) the making of recommendations to the High Court or to the Government, regarding the improvements to be made to court buildings, amenities to be provided for the litigant public and lawyers and other matters of a similar nature;

(iii) the bringing to the notice of the High Court the activities of the staff of the court in the discharge of their duties with a view to stamp out corruption and reporting to the Government specific cases of corruption, if any, for appropriate action; and

(iv) the provision of facilities for the closer association between the members of the Bar and the Bench in considering matters of common concern.

(3) The Committee shall discharge such other functions as are assigned to it from time to time by the High Court.

(4) The rules regulating the constitution of committees shall be such as may be prescribed by the Government in consultation with the High Court."

REGISTERED No. M. 4631

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IV] Trivandrum, Thursday, 26th March 1959. / 5th Chaitra 1881. (Saka) [No. 39.

NOTIFICATION

LA4-820|59. *Dated, Trivandrum, 26th March 1959.*

The following Bill together with the Statement of Objects and Reasons, is published, as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Assembly.

Legislature Secretariat,
Trivandrum.

V. KRISHNAMOORTHI,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1959.

L. A. Bill No. 16 of 1959

THE GENERAL SALES TAX (AMENDMENT) BILL, 1959

A

BILL

further to amend the General Sales Tax Act, 1125.

Preamble.—WHEREAS it is expedient further to amend the General Sales Tax Act, 1125, for the purposes hereinafter appearing;

BE it enacted in the Tenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the General Sales Tax (Amendment) Act, 1959.

(2) It shall come into force with effect on and from the first day of April, 1959.

2. *Amendment of section 2.*—In section 2 of the General Sales Tax Act, 1125 (Act XI of 1125), hereinafter referred to as the principal Act, after clause (j-2), the following clause shall be inserted, namely:—

"(j-3) 'toddy' means the fermented or unfermented juice drawn from cocoanut, palmyra, date or any other kind of palm tree, but shall not include juice drawn into receptacles freshly coated internally with lime or otherwise treated so as to prevent any fermentation;".

3. *Amendment of section 4.*—In section 4 of the principal Act, for the words "other than arrack", the words "other than toddy, arrack" shall be substituted.

4. *Amendment of Schedule I.*—In Schedule I of the principal Act, for the words "wines and liquors" in column (2) of item 1, the words "wines and liquors other than toddy" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

In his speech presenting the budget for 1959-60 the Finance Minister had announced the Government's intention to levy tax on the sale of toddy. It is therefore proposed to impose a tax at the rate of two naye paise for every rupee in the turnover relating to toddy, with effect from 1-4-1959. The Bill is intended for this purpose.

C. ACHUTHA MENON.